

fees from Arnold, White & Durkee Deposit Account No. 01-2508/ARCD:194/HYL. Please amend the application as indicated below.

### AMENDMENTS

#### In the Claims

Please cancel claims 1, 4, 5, 12, 14, 28, 33 and 34 and amend the remaining claims as follows:

8. (Twice amended) The method according to claim [1] 13, wherein the tumor

C 1 cell is a human tumor cell.

13. (Amended) A method of inhibiting growth of a tumor *in vivo* comprising

C 2 delivering to said tumor, in combination, a [herpesvirus] herpes simplex virus and ionizing radiation, wherein said combination is sufficient to inhibit the growth of said tumor.

15. (Amended) The method according to claim 13, wherein the [herpesvirus]

C 3 herpes simplex virus is HSV-1.

18. (Amended) A method of enhancing the effectiveness of ionizing radiotherapy

C 4 comprising administering to a tumor site in a mammal (i) a pharmaceutical composition comprising a [herpesvirus] herpes simplex virus and (ii) ionizing radiation, wherein the

combination of [herpesvirus] herpes simplex virus infection and radiation is more effective than ionizing radiation alone.

19. (Amended) The method according to claim 18, wherein the [administering is by means of an intravenous injection of] composition comprises from about  $10^8$  to about  $10^{10}$  herpesvirus particles.

CY 20. (Amended) The method according to claim 18, wherein the administering is by means of an oral or intravenous route.

21. (Amended) The method according to claim 18, wherein the tumor is brain tumor or breast tumor.

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23. (Amended) A method of killing a tumor cell comprising the steps of:

- (a) contacting said tumor cell with a [herpesvirus] herpes simplex virus; and
- (b) exposing said cell to a dose of ionizing radiation sufficient to kill said cell in conjunction with said [herpesvirus] herpes simplex virus.

CB 24. (Amended) The method according to claim 23, wherein the [herpesvirus is HSV] herpes simplex virus is HSV-1.

25. (Amended) The method according to claim 13, wherein said delivering comprises injecting into a tumor site a pharmaceutical composition comprising said [herpesvirus] herpes simplex virus.

C5 26. (Amended) The method according to claim 13, wherein the tumor is exposed to ionizing radiation selected from the group consisting of X-irradiation,  $\gamma$ -irradiation[, or] and  $\beta$ -irradiation.

C6 35. (Amended) The method according to claim [34] 46, wherein the tumor cell is a human tumor cell.

42. (Amended) The method according to claim 41, wherein the [administering is by means of an intravenous injection of] composition comprises from about  $10^8$  to about  $10^{11}$  adenovirus particles.

C7 43. (Amended) The method according to claim 41, wherein the tumor is exposed to ionizing radiation selected from the group consisting of X-irradiation,  $\gamma$ -irradiation[, or] and  $\beta$ -irradiation.

44. (Amended) The method according to claim 41, wherein the tumor is brain tumor or breast tumor.

48. (Amended) The method according to claim 46, wherein the tumor is exposed to ionizing radiation selected from the group consisting of X-irradiation,  $\gamma$ -irradiation[, or] and  $\beta$ -irradiation.

C8 49. (Amended) The method according to claim 46, wherein the tumor cell is a brain tumor cell or a breast tumor cell.

50. (Amended) The method according to claim 46, wherein the [administering is by means of an intravenous injection of] composition comprises from about  $10^8$  to about  $10^{11}$  adenovirus particles.

Please add the following new claims:

-- 51. (New) The method of claim 40, wherein said adenovirus is Ad5.

52. (New) The method of claim 41, wherein said adenovirus is Ad5.

C9 53. (New) The method of claim 46, wherein said adenovirus is Ad5.

54. (New) The method of claim 41, wherein said composition is administered intravenously.